

Legal Authorities Report

Federal Statutes

42 U.S.C. § 1983 - Civil action for deprivation of rights

Source: Cornell Law School

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Federal Rules

Federal Rule of Civil Procedure 12 - Defenses and Objections

Source: Cornell Law School

Rule 12 governs defenses and objections, including motions to dismiss for failure to state a claim upon which relief can be granted under Rule 12(b)(6).

Federal Rules of Civil Procedure (2024 Edition)

Source: U.S. Courts

Current version of Federal Rules of Civil Procedure effective December 1, 2024.

Federal Cases

Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)

Source: Justia

Holding: Established plausibility standard for Rule 12(b)(6) motions to dismiss, requiring “enough factual matter (taken as true) to suggest” a plausible claim for relief.

Ashcroft v. Iqbal, 556 U.S. 662 (2009)

Source: Justia

Holding: Clarified Twombly plausibility standard, requiring “sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face”.

West v. Atkins, 487 U.S. 42 (1988)

Source: Justia

Holding: Private parties acting under contract with state can be state actors under § 1983 when their conduct is fairly attributable to the state.

Lugar v. Edmondson Oil Co., 457 U.S. 922 (1982)

Source: Justia

Holding: Established two-part test for state action: (1) deprivation caused by exercise of right or privilege having source in state authority, and (2) person charged with deprivation fairly said to be state actor.

Brentwood Academy v. Tennessee Secondary School Athletic Ass’n, 531 U.S. 288 (2001)

Source: Justia

Holding: State action can be found through entwinement of state and private actors.

Dennis v. Sparks, 449 U.S. 24 (1980)

Source: Justia

Holding: Private parties can be liable under § 1983 when they conspire with state officials.

Zinermon v. Burch, 494 U.S. 113 (1990)

Source: Justia

Holding: Due process violations in mental health commitment context.

O’Connor v. Donaldson, 422 U.S. 563 (1975)

Source: Justia

Holding: Constitutional rights of involuntarily committed mental health patients.

Vitek v. Jones, 445 U.S. 480 (1980)

Source: Justia

Holding: Due process requirements for involuntary mental health transfers.

Circuit Court Cases (Third Circuit)

Benn v. Universal Health Systems, Inc., 371 F.3d 165 (3d Cir. 2004)

Source: FindLaw

Holding: Designated psychiatric emergency screening services (PESS) are state actors for § 1983 purposes when performing state-mandated functions.

Doby v. DeCrescenzo, 171 F.3d 858 (3d Cir. 1999)

Source: FindLaw

Holding: State action analysis in mental health commitment context.

Great Western Mining & Mineral Co. v. Fox Rothschild LLP, 615 F.3d 159 (3d Cir. 2010)

Source: FindLaw

Holding: Twombly/Iqbal plausibility standard application.

Kach v. Hose, 589 F.3d 626 (3d Cir. 2009)

Source: FindLaw

Holding: State action requirements under § 1983.

Carter v. City of Philadelphia, 181 F.3d 339 (3d Cir. 1999)

Source: FindLaw

Holding: Municipal liability under § 1983.

Estate of Roman v. City of Newark, 914 F.3d 789 (3d Cir. 2019)

Source: FindLaw

Holding: § 1983 liability standards.

Chisolm v. McManimon, 275 F.3d 315 (3d Cir. 2001)

Source: FindLaw

Holding: State action analysis.

Furgess v. Penny, 933 F.3d 285 (3d Cir. 2019)

Source: FindLaw

Holding: Motion to dismiss standards.

Phillips v. County of Allegheny, 515 F.3d 224 (3d Cir. 2008)

Source: FindLaw

Holding: § 1983 claims against counties.

New Jersey Statutes

N.J.S.A. 30:4-27.1 - Findings, declarations

Source: Justia

Legislative findings and policy declarations regarding involuntary commitment system.

N.J.S.A. 30:4-27.2 - Definitions

Source: Justia

Definitions including “screening service,” “clinical certificate,” “in need of involuntary commitment”.

N.J.S.A. 30:4-27.3 - Involuntary commitment to treatment

Source: Justia

Standards and procedures for involuntary commitment, including screening service referrals.

N.J.S.A. 30:4-27.5 - Screening service procedures

Source: Justia

Detailed procedures for screening services, including assessment, detention authority, and coordination with facilities.

N.J.S.A. 30:4-27.6 - Screening certificate

Source: Justia

Requirements for screening certificates authorizing involuntary commitment.

N.J.S.A. 30:4-27.7 - Procedures for temporary commitment

Source: Justia

Procedures for temporary commitment by screening services, including immunity provisions.

N.J.S.A. 30:4-27.9a - Short-term care facility detention limitations

Source: Justia

2023 amendments allowing 72-hour detention without court order, requiring court proceedings within 24 hours of admission.

N.J.S.A. 30:4-27.10 - Court proceedings

Source: Justia

Court proceedings for involuntary commitment.

N.J.S.A. 30:4-27.11 - Patient rights

Source: Justia

Rights of patients in mental health facilities.

N.J.S.A. 30:4-24.2 - New Jersey Patient Bill of Rights

Source: Justia

Statutory patient rights and facility duties.

New Jersey Regulations

N.J.A.C. 10:37-1.1 et seq. - Mental Health Provider Licensing & Standards

Source: NJ Department of Human Services

Licensing and operational standards for mental health providers.

N.J.A.C. 8:43G-4.1(a)(6) - Patient Rights Regulation

Source: NJ Department of Health

Hospital patient rights regulations.

N.J.A.C. 10:31-2.1 et seq. - Screening Service Regulations

Source: NJ Department of Human Services

Administrative rules governing screening and commitment agencies.

N.J.A.C. 10:31-1 et seq. - Administrative rules for screening/commitment agencies

Source: NJ Department of Human Services

Comprehensive regulations for screening services and commitment procedures.

N.J.A.C. 10:37-4.3 - Rights advisement and grievance procedures

Source: NJ Department of Human Services

Requirements for patient rights advisement and grievance procedures.

Local Rules

Local Civil Rule 7.1(a)(1) - Motion Practice

Source: U.S. District Court for the District of New Jersey

Requirements for motion practice including meet and confer certification.

Disability Rights Statutes

Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.

Source: Cornell Law School

Federal disability rights protections.

Section 504 of the Rehabilitation Act, 29 U.S.C. § 794

Source: Cornell Law School

Prohibition on disability discrimination in federally funded programs.